

## **Northeast Community Recreational Sports Complex Improvement, Lease and Operating Agreement**

**Description:** This is an interlocal agreement between the City and the University of Nebraska to provide for the development of a new sports and recreation complex. Since the Antelope Valley Phase 1 Priority Projects displace University recreation fields, this agreement provides a cooperative undertaking between the Parties to replace those fields with new joint use facilities near 32<sup>nd</sup> and Leighton St. The City is funding a standalone portion of the complex with 6f replacement funds for multipurpose fields (the LAWCON tract) to enhance the viability and other recreational activities for the community. The agreement is divided into two main parts:

- 1) Improvement Provisions.
  - a. Real estate transfer and assembly
  - b. Due Diligence
  - c. JAVA responsibilities – construction, progress reports, additional projects
  - d. City Responsibilities – easements, maintenance of City facilities, railroad improvements on behalf of RTSD
  - e. University Responsibilities -- \$675,000 contribution, maintenance of shared facilities, vacate existing rec fields
  - f. Joint Responsibilities – shared improvements, budget
- 2) Lease and Operating Provisions.
  - a. 35 year lease to University option for 7 additional 5 year extensions
  - b. Shared facilities allocation – (70% University 30% City use for fields, with corresponding capital and maintenance obligations, see chart)
  - c. Administrative Board
  - d. Insurance and risk management

**Function:** The agreement is needed because JAVA has no role in the ongoing operation of the facility.

**Related Items:** These provisions did not belong in the JAVA Interlocal Agreement by function – the NRD has no ongoing role at the facility and JAVA will complete the improvements and transfer the improved complex to the City subject to the lease.

### **Accountability:**

- 1) Budget – Section 7.3 provides a budget for Improvements and Section 10.3 of the agreement provides a process for an annual review of the allocation chart for the Lease and Operating provisions.
- 2) Administration – Section 11 of the agreement provides authority to an administrative board to monitor and implement the provisions.